

MINUTES
SANDY CITY COUNCIL MEETING
Sandy City Hall - Council Chamber Room #211
10000 Centennial Parkway
Sandy, Utah 84070

May 23, 2006

Meeting was commenced at 7:10 p.m.

PRESENT:

Council Members: Vice Chairman Linda Martinez Saville, Bryant Anderson, Scott Cowdell, Chris McCandless, and Stephen Smith

Mayor: Tom Dolan

Others in Attendance: CAO Byron Jorgenson; Assistant CAO James Davidson; Management Analyst Korbin Lee; City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Council Office Director Phil Glenn; Council Executive Secretary Pam Lehman

ABSENT/EXCUSED:

Chairman Steve Fairbanks [Seminar]

Councilman Dennis Tenney [Business]

Mayor Tom Dolan [Seminar]

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by **Boy Scout Zach Brimhall of Troop #1112**, and the Pledge was led by **Mitchell Terry**, also of **Troop #1112**.

2. **CITIZEN(S) COMMENTS:**

- a. **Dave Nicholson**, 9609 South 835 East, Community Coordinator, referenced a recent editorial in the **Salt Lake Tribune** regarding the Living Planet Aquarium. Aquarium representatives have requested that Salt Lake County Council put a \$34 million bond proposal on the November ballot that, if passed, would add about \$5 to each County homeowner's property tax bill. Mr. Nicholson asked at what point residents would be given some relief from spiraling tax increases and questioned where the limit would be placed. The County has also proposed tax increases for bond issues, TRAX spurs, Arts and Parks, and School District taxes.

Bryant Anderson noted that many of the issues that the County has proposed for the November ballot are issues that the City Council has no control over. He noted that many cities are proposing property tax hikes this year. He noted, however, that Sandy City has not raised their property taxes over the past 11 years.

As there were no further comments, Acting Chairwoman Saville closed Citizen Comments.

PUBLIC HEARING(S):

3. **Street Vacation/Closure - 500 West at 9100 South**

Public Hearing to consider a request of Mr. John Allred, representing Beehive, Inc., to vacate or close a portion of 500 West at approximately 9100 South. Several years ago, Sandy City acquired property for a realigned Sandy Parkway. At that time, it was contemplated that 500 West would be closed and deeded to adjoining owners for their having deeded 450 West to the City. (Ref. Ord #93-18 March, 1993) Beehive Inc. has requested that they be allowed to obtain that portion of 500 West along their frontage, as was done by Layton Construction.

DISCUSSION: Community Development Director Mike Coulam reported that Mr. John Allred, representing Beehive Inc., filed a request that the City Council vacate or close a portion of 500 West at approximately 9100 South. Several years ago, Sandy City acquired property for the re-aligned Sandy Parkway. At that time, it was contemplated that 500 West be closed and deeded to adjoining owners for their having deeded property for improvements on 450 West to the City. In March 1993, a portion of 500 West [south of 9000 South toward Sandy Parkway] was closed by Ordinance #93-18. Layton Construction procured that portion of 500 West from the City.

Beehive, Inc. has requested that they be able to obtain the remainder of 500 West along the frontage of their property.

On November 3, 2005, this item came before the Planning Commission. At this time, Layton Construction expressed concern regarding limited access to their property. Staff was asked to research the possibility of including the eastern portion of 500 West right-of-way in the road closure.

Staff has since met with all three parties involved in this closure/vacation. Beehive Inc. presented a letter stating that Beehive, Layton Construction, and the Jordan Valley Water Conservancy District have verbally agreed that this right-of-way will be used for all three companies. An attorney has drafted an access easement agreement that will be finalized once ownership issues have been resolved.

Jordan Valley Water Conservancy has told our Staff that they have no interest in owning the right-of-way adjacent to the well. Their only concern is access to the site, which is addressed in the access easement agreement. Layton Construction has expressed interest in purchasing the portion of 500 West along the frontage of the Jordan Valley Conservancy District property.

The City Council has set a policy that all requests to modify a public right-of-way or other dedicated property be noticed as a vacation/closure. By holding a hearing under both options of either a vacation or a closure, it provides the Council with different options on how to dispose of the property. Under a vacation, State Law requires that the property being vacated be given, at no cost, to the adjacent property owner(s). Under a closure, State Law provides that the property then becomes real property that the City can sell to any interested parties.

Staff along with the Planning Commission forwarded a positive recommendation to vacate/close the portion of 500 West based upon the following reasons:

1. This right-of-way is not needed for regular vehicle traffic and does not appear on the official Sandy City Street Map.
2. It was the intent of the City to include this area to be vacated/closed with Ordinance #93-18.
3. All three affected property owners have agreed to work with each other regarding an access easement agreement which allows all three owners access to their respective properties.

John Allred, the applicant, stated that back in 1993, when the City realigned the property, it was their intent to deed the property back to Beehive, Inc. He learned that this had not been done, and this is the reason why they are asking for the street vacation. They want to make certain that there will always be adequate access to and from their property, and that their property will not become landlocked.

Alan Rendlesbacher, Layton Construction, explained that they are adjoining neighbors to Beehive, Inc., and could understand Mr. Allred's circumstance. He stated that he supports the proposed closure as long as access to their property is left open. They have always been able to access their property via an easement along the area proposed to be closed. He noted that they have worked over the past number of years, and will continue to work out snow removal and road maintenance.

Acting Chairwoman Saville opened the Public Hearing. As there were no comments, the hearing was closed.

Chris McCandless asked if all the property owners have come to a mutual agreement regarding the maintenance of the access into their businesses.

Mike Coulam stated "yes", they have.

Scott Cowdell asked Mr. Allred if he would like the property deeded back to him.

Mr. Allred stated that prior to the re-alignment of Sandy Parkway, that portion of the roadway did belong to Beehive, Inc.

Scott Cowdell asked City Attorney Wally Miller for clarification on the difference between a street closure and street vacation.

Wally Miller explained that the property in a street vacation must be given to the abutting property owners. A street closure requires that the City sell the portion of the right-of-way to the affected property owners. Mr. Miller indicated that the property owners are willing to deed a portion of the easement to Layton Construction and no fees will be assessed to the property owners.

MOTION: Chris McCandless made the motion to have documents bought back next week to adopt the Street Vacation at 500 West at 9100 South by vacating a portion of 500 West at approximately 9100 South, but not vacating any utility easements, rights-of-way or dedications by use located therein.

SECOND: Scott Cowdell

VOTE: McCandless - Yes, Cowdell - Yes, Tenney- Absent, Fairbanks- Absent, Smith- Yes, Anderson-Yes, Saville - Yes

Motion Approved: 5 in favor - 2 absent

4. **Aquarium Appropriation**

Public Hearing to consider authorizing Sandy City to appropriate \$30,000 to the Living Planet Aquarium to help fund the relocation of its operations to 725 East 10600 South in Sandy. A study setting forth an analysis of the appropriation's suggested purpose and its net value to the City is available for public inspection in the City Recorder's Office, Suite 311, during regular business hours. The principle law governing this appropriation is set forth in Utah Code Ann. §10-8-2.

DISCUSSION: Management Analyst Korban Lee referenced a proposal that was submitted by the Living Planet Aquarium, on March 21, 2006, regarding its pending relocation to Sandy City. They have leased the former MAC's Crafts building, in order to have room to expand its current exhibits and offerings to the public. Aquarium officials are asking that Sandy City help in the costs for the remodeling and relocation process (\$30,000). They have also requested that the City fund a second one-time grant of \$30,000 to sponsor an endangered species exhibit. It is also proposed that the City provide a one-time grant of \$5,000 to support the aquarium in the payment of the building permit fees, electrical permit fee, and plumbing permit fee. In addition, it is also proposed that the City waive the annual business license fee required of the aquarium.

The aquarium would still need to obtain a business license from the City, but the fee would be waived, which is estimated by the Sandy City Business License Coordinator, Lesley Casaril, to be \$373 per year, assuming the aquarium has 23 employees. If the aquarium stays in its temporary Sandy location for 5 years, the total grant and fee waiver value would total \$36,865. It should also be noted that in addition to the grant and fee waivers proposed, the addition of 155,000 annual patrons to the aquarium may have an impact on traffic, road maintenance, and public safety. Such an impact is not quantified herein, and may not be significant, but should be considered.

In return for this support, the Living Planet Aquarium would provide the following economic benefits to Sandy City and its citizens:

- Between \$11,125 and \$37,084 in spillover sales tax revenue to Sandy City over a five year period [present value of \$9,039 to \$30,130]
- Approximately \$111,000 in economic impact annually within Sandy from the aquarium's operating budget and about 24 jobs created.
- The potential for additional economic impact to the South Towne Mall and the properties adjacent to the intersection of 10600 South and 700 East.

It is further recommended that the City Council ask the aquarium to charge sales tax on all taxable sales at the aquarium. If the aquarium agrees, Sandy City would receive an estimated \$40,432 in direct sales tax revenue over a five year period [net present value of \$35,888].

The Living Planet Aquarium's relocation to Sandy may also provide the following quality of life impacts:

- Sandy families with a regional family attraction within the City.
- Bring an additional entertainment venue to the city for families outside of our community.
- Provide educational, internship, and outreach opportunities to Sandy youth at a disproportionate level to other communities by nature of the aquarium's location within Sandy.
- Potentially add to Sandy's desirability as a place for families to live.

Korbin Lee explained that the Administration requested an opinion from the Utah State Tax Commission on what the City Council could request of the Living Planet Aquarium by way of sales tax revenue, to maximize the value the City receives in return for a grant. The State Tax Commission responded, based upon guidelines found under Utah Code 59-12-104(8) and the Utah Administrative Rule R865-19S-43, the Living Planet Aquarium is acting within its religious and charitable activities and functions, and that the City cannot ask The Living Planet Aquarium to collect sales tax on the sale of goods at their gift shop, specifically, and the statutory language provided implies that the City can't ask the aquarium to collect sales tax on admission fees either.

Scott Cowdell asked if the licensing fees could be waived through grant monies.

Korbin Lee noted that the City could provide a one-time grant of \$5,000 to support the aquarium in the payment of building permit fees. The City would also waive the annual business license fee of \$1,865 over the five year period. The aquarium did not request exemption from business licensing fees. However, this is a service that the City provides to all non-profit organizations in the City.

Bryant Anderson stated that he was "excited" to see the Living Planet Aquarium come to Sandy. He believes that the aquarium's attendance will grow significantly at their new location, and that more revenue will be brought into the City than what was predicted in the Impact Study.

Acting Chairwoman Saville opened the hearing for Public Comments.

Dave NicholSEN, 9609 South 835 East, expressed concern over The Living Planet's intentions of placing an initiative on the November ballot for a \$30 million dollar bond. He questioned whether this proposal would be on the November ballot, and if taxpayers need to look forward to another tax increase. He felt that further studies should be conducted on the type of success they have had at the Gateway Mall, and the impacts this facility will have on property taxes.

Madeline Menbrook, Operations Manager Living Aquarium, stated that it is hard at times for the public to appreciate what the Living Planet is trying to accomplish. The issues addressed in the Salt Lake Tribune editorial are issues that Salt Lake County will be dealing with. Even though this is a new organization, they have a very successful track record. The location at the Gateway was becoming too small, and they were unable to accommodate the crowds that wished to attend the facility. The current Gateway location is only a 10,000 sq. ft. facility that was built to help bring awareness about their facility. In order to continue to meet public demand, they are required to move to a facility that can accommodate their needs. The Sandy facility will provide a tremendous benefit to the residents residing in the south valley who can participate in the numerous programs that are offered to individual schools.

Clint Sorensen, 9921 Poppy Lane, reported that he has visited the Living Planet Aquarium at their Gateway location. At first he was disappointed at what the Gateway facility offered, but when he learned of their relocation in Sandy, he was "excited". He stated that he would be willing to pay for his family to participate in the events that are provided by the Living Planet Aquarium.

Doug Neiderweisen, Chief Financial Officer Living Aquarium, stated that there are no ongoing lease agreements with the Gateway. The lease in question is with regard to the redevelopment property located at 500 West, west of Gateway (Salt Lake City). The Living Planet Aquarium has leased the property from Salt Lake City over a twelve year period. During that time, they will be trying to raise funding to build a new facility on that site. If they are successful in getting a bond, they estimate they will be at the temporary Sandy location for five years.

Steve Smith asked what the aquarium needs in order to build their large new facility in Salt Lake.

Mr. Neiderweisen stated that they need \$46 million in order to build a new facility. They have some pledges, and they themselves have raised a small amount of funding. Other than that, there are no firm commitments beyond that point.

Acting Chairwoman Saville closed the public hearing.

Chris McCandless asked what type of assurance the City would have that the aquarium will not relocate, and that it will still be in the City five years from now.

Mr. Anderson responded that the soonest the aquarium could even consider building a new facility would be in the year 2008. From that point, it would take approximately 30 months to build the new facility, which would bring them to the year 2010. He explained the benefits of outreach educational programs that are offered through their facility. He also noted that area community colleges have expressed an interest in establishing adult education classes pertaining to environmental eco-systems through their facility.

Steve Smith expressed appreciation to **Korbin Lee** for his thoughtful, thorough analysis. He stated that he liked the idea of having an aquarium in the City. He asked aquarium officials if there was some assurance that could be given to the City to ensure that they will be here in five years, in order for the City to see the return on its investment that they promised.

Mr. Anderson reported that the first year they opened they were concerned. But, experience has shown that the aquarium has been an overwhelming success. They are not worried about the move to Sandy. The aquarium can be based in Sandy temporarily, or on a permanent basis, if they are unable to procure bond funds for the site in Salt Lake.

Ms. Menbrooke noted that the aquarium has always done fairly well. Their cash flow is positive ever since the doors have been opened. They will add three more major exhibits valued at over \$100,000. If the City funds the grant they have requested, it will allow them to do more with their exhibits, develop a partnership with the City and give them some breathing room.

Scott Cowdell stated that he was concerned with the stability of this undertaking. He said, "There is no business that starts up that can guarantee that they will stay in business." Mr. Cowdell noted that the City has given other businesses (like the Auto Mall and South Towne Mall) incentives to bring their business to Sandy. We are presently discussing the City's participation in bringing a soccer stadium to Sandy. Mr. Cowdell noted that the aquarium will upgrade the corner at 106th South 1300 East. The City is oft times criticized for having big vacant buildings. He felt the amount requested by aquarium officials was small compared to what the aquarium will bring back to the City. If it lasts for 5 years, it will more than pay back the money. Sandy has no control over what would happen if the aquarium is successful in putting their bond on the County's ballot.

Phil Glenn shared written comments sent by Councilman **Dennis Tenney**, as he was out of town and unable to attend this evening's meeting. Mr. Tenney conveyed that he was comfortable with a one-time grant, as he had read the budgetary assumptions contained in the study prepared by Mr. Lee.

Dave Nichols commented that the proposal for a soccer stadium was a source of a survey conducted of Salt Lake County voters. A majority of those polled indicated that they would not be willing to receive a tax increase to bond for a soccer stadium. If voters don't want an additional tax for a soccer stadium, they probably won't be willing to approve bonding for an aquarium. He was also concerned that admission prices would be too high.

Tom Markee, a member of the Board of Directors for the Living Planet Aquarium, responded that current ticket prices are \$7 for adults and \$4 for children. They have no immediate plans to raise entrance prices. An annual membership costs \$12 for adults, and \$7 for children. Monday nights are half price. They have hired a marketing expert and a drafter is working on the building's design. Aquarium staff are working to help with repairs and remodeling of the Mac's building. He reported that the building will be in much better condition than what it was in before. The aquarium will be open 7 days a week.

Councilman Bryant Anderson stated that he believes this will be a wonderful opportunity for the community. He

reported that he has taken his children and grandchildren to the facility. Mr. Anderson thinks the bond election is a separate issue. Relocating in Sandy gives the aquarium the opportunity to expand four times larger than what they were at the Gateway. This additional room will make a huge difference. He stated the he would give his support to granting money from the City.

MOTION: **Bryant Anderson made the motion to approve a one-time grant to The Living Planet Aquarium in the amount of \$36,865, with the expectation that they will handle their own operational costs. The grant includes the following: \$30,000 (move); \$3,000 (building permit fees); \$1,500 electrical permit fee; \$500 (plumbing permit fee); for a total of \$36,865.**

SECOND: **Chris McCandless**

VOTE: **Anderson-Yes, McCandless- Yes, Tenney- Absent, Cowdell- Yes, Fairbanks- Absent, Smith-no, Saville- Yes**

4 in favor, 2 absent, 1 no

COUNCIL ITEMS:

5. Salt Lake Metro Water, Budget Overview

DISCUSSION: Present for the Fiscal Year 2007 Budget presentation were Board Members for the Metropolitan Water District of Salt Lake and Sandy including Sandy City representatives **John Kirkham** and **Steve Newton; Mike Wilson, General Manager; Josh Debry, Controller; and Leland Miers, Chairman** (one of Salt Lake City's representatives). Mr. Kirkham reported that this same budget presentation was also given to the Salt Lake City Council.

Councilman **Scott Cowdell** asked if there would be a tax increase this year.

Mike Wilson explained that the Metropolitan Water District of Salt Lake and Sandy (the District) are planning to increase revenues by \$1.7 million dollars with this year's proposed tax increase. Without this increase, they would be facing a \$3.5 to a 4.0 million annual shortfall in revenues. A public hearing was held on June 19th to finalize the adoption of the certified tax rate increase of 0.00035 or a new average yearly water rate increase from \$684.00 per year to \$703.00 per year. **See attached Exhibit "A"**

Bryant Anderson asked if the pipeline project was nearly finished, and why the transition was so abrupt. He stated that each spring he watches all the water coming from runoff from the canyon. He felt the public should be better advised that during the spring time they can utilize water more freely than they can during the water conservation months of June, July and August. After having just gone through a long drought, people need to be reminded to conserve, and that they can't water during the middle of the day as prescribed by City ordinance.

Mike Wilson reported that the pipeline is about 2/3 complete. Water costs are up, in part, because of a price increase for C.U.P. water. In addition, the opening and staffing costs associated with the new treatment plant will come on line. There is not enough revenue to cover all these expenses. The long drought and the conservation efforts employed by citizenry, while admirable, affect revenues. There are many other variables that go into the increase costs being experienced by the District.

Steve Smith noted that other water districts are undergoing the same type of construction costs that we are. There will be a benefit down the road by installing new infrastructure improvements.

Steve Newton commented that there were controversial issues that surfaced when they were dealing with the then proposed tax increase. Staff originally proposed a higher certified tax increase than what was adopted. In order to be more fiscally responsible, Mr. Newton felt that this rate should have been higher. He feels the District will face challenges to fund staffing for the new treatment plant and lab tests (the District currently conducts 4 more tests than required by law to be safe).

Chris McCandless asked if the District had checked out the costs involved to have these lab tests sent out versus internalizing them

Mr. Newton stated that in order to set the budget for lab costs, they asked private labs for the cost to run these same tests, and averaged that with their estimated cost to do it themselves. The final estimate was an average of the two.

Mike Wilson clarified that some of the fee schedule is based on state lab costs and internal history costs. A proposal to absorb the Salt Lake City lab with the new lab was also figured into the cost structure.

Sandy Public Utilities Director Shane Pace reported that he has attended all Metro meetings. He stated that Sandy's two board members are doing a great job, and they are very committed. They are always prepared to discuss issues. Mr. Pace indicated that he doesn't have any concerns with having in-house testing. He said we are doing quite a bit of our own lab tests. Mr. Pace said he supported the budget recommendations.

6. **Discussion: Property Purchase for Granite Tank**

DISCUSSION: Shane Pace reported that Staff have been reviewing the two final sites (out of 16 sites previously evaluated) for the Granite Tank; the Richardson site and the Walker site. One of these two sites appears to be the best option. While the Richardson site is the preferred site, it may not be practical for the City's needs because of other sensitive issues, but the Council was fully informed of the problems. The Walker site will cost \$1.2 more than the Richardson site. The major problem is that you have an unwilling seller of the Richardson piece. He then discussed the pros and cons of each site. Mr. Pace introduced Chad Evans, from the Granite Community, who wished to express his feelings on how Granite residents feel about both locations, some time during this discussion.

Shane Pace stated that there were advantages to the Richardson site. It would be environmentally less expensive, a booster station on that site would not have to be moved and there would be no additional piping up Little Cottonwood Road. It lies west of documented faults, and we probably would not have to run additional piping across the faults. This site is also less visible due to the ledge.

The downside to the Richardson property is that the owner is not willing to sell the property. There is much concern for the owner's personal welfare, should we be forced to go through the condemnation process. We also have not been able to document if there truly is a fault on the site. There would also be costs associated with cleaning up the property.

On the other hand, the Walker property owner is willing to sell. The City made a verbal offer, and he agreed verbally. It was made clear that final approval would have to come from the Mayor and City Council. The Walker site is much larger, and we would not need to move soil. The tank would take up most of the property, but we could end up selling off a couple of lots that could help offset the additional cost. The booster station would have to be moved, and piping installed to cross fault lines. An Environmental Assessment would need to be done. To the east there are expensive homes, and there has been some concern voiced by residents about having a tank built next to their property. A Conditional Use Permit would have to be obtained from Salt Lake County.

Shane Pace recommend that the Council approve the purchase of the Walker property. He reported that he shared this information with the Sandy Public Utilities Advisory Board. They support his recommendation and believe we should move forward. We have \$2.8 million dollars in federal funds that need to be spent by December, 2008, and are on a stringent time schedule. Otherwise, if the decision is for the Richardson site, we need to move forward on condemnation proceedings. This tank will benefit the Granite Community

Chad Evans expressed concerns about the Richardson property. He felt the threats that have been made by the property owner should be taken seriously. He asked, "When do citizens say it really is not our fault." He felt there was an obligation to make sure that certain threats are properly taken care of. It appeared to him, that the City would, in effect, be spending more money to purchase the Walker property and thereby protecting the Richardson property owner; and yet, no protection is being given to the citizens. Mr. Evans stated that he was appalled that the County turned their backs on the citizens. Mr. Evans said, "We in the Granite community are all really tired of all of this. Is it right to spend additional money on another location and succumb to threats?" Mr. Evans reminded the Council of the statement Sandy City will be making by purchasing the higher priced property.

Scott Cowdell felt the property owner should have been arrested when he made his threats. He stated that he is

against buying the Walker property as there may be undocumented faults, and the water tank would not be safe there. Mr. Cowdell stated that his vote would be for the Richardson property.

Walter Miller advised caution in discussing this individual. He noted that a complaint was made to the Police, and they did respond. The Police would not ignore such a complaint. Mr. Miller said he knew how the Council feels about giving deference to any individual.

Shane Pace stated that Mr. Miller was accurate. A report was filed with the Police, and they are following up on it.

Stephen Smith asked what the implications would be if the Granite Tank is not replaced, and would it affect service delivery.

Shane Pace reported that the new Granite Tank is designed to fill during the night and empty during the day. The old tank empties four times a day. This is an old tank that has been used for quite a while. If the tank malfunctions, we have great difficulty providing water to the immediate area. In the summer, water restrictions have to be enacted. This tank needs to be replaced. Mr. Pace stated that he wished we had the luxury of waiting, but due to the expiration date on a very large federal grant, it needs to be acted upon. We cannot get any more extensions, and we need to spend the \$2.8 million dollars by the December, 2008 deadline. The current tank is undersized, and it is working too hard.

Linda Martinez Saville asked how soon a decision was needed.

Shane Pace reported that Larry Walker, the property owner, is eager to do the transaction and would like to close in 90 days, and move out in 120 days. We need to let him know our intent.

Stephen Smith asked if the abutting home owners were resistant to the tank, what would it do to the overall time table.

Shane Pace stated that the water tank will require a Public Hearing, as it remains a conditional use. He stated that even if for some reason we could not move forward and build the tank on the Walker site, the City won't lose money because it will still own the property. \$2 million dollars would be transferred from the fund balance to purchase the property, and this would take place during the budget hearing.

Chris McCandless stated that he would struggle with implementing the condemnation process. He did not like the expense of crossing fault lines to strengthen water lines, when there is another option. He stated that he would like to obtain the Richardson property, as long as we don't impose condemnation.

Shane Pace reported that he spoke with Richardson's son Bruce, and increased the sales option. He doesn't think it will help. Salt Lake County is presently dealing with zoning issues up there too, and it appears he is quite stressed.

Bryant Anderson stated he would like to condemn the property, so as not to jeopardize the federal grant money.

Walter Miller stated that we could take possession of the property, if need be. He commented that he was glad to hear the Council's reaction. He is fine with condemning property when that action serves the best interests of the community. This discussion with the Council is important because of the critical timing element involved with the grant money.

Chris McCandless stated that he liked the Walker property, as it is a good investment. If the Richarsons realize we have a second option, they may change their minds. He suggested that the City pursue the purchase of the Walker property and bring the purchase agreement back for final Council approval. At the same time, the City should continue to work with the Richardsons to purchase that property, as it would be our first choice if time was not an issue.

Pat Casaday asked for clarification. The purchase would be contingent upon the environmental assessment being accepted. There is some question as to whether the assessment can be done in the time frame Walker has set, as he needs the money now.

MOTION Chris McCandless made the motion to have Staff negotiate the sale of the Walker property, and that the agreement be brought back for final Council approval.
SECOND: Scott Cowdell
VOTE: McCandless - Yes, Cowdell- Yes, Tenney- Absent, Fairbanks- Absent, Smith- Yes, Anderson- Yes, Saville- Yes
5 in favor, 2 absent

MINUTES:

7. Approving the May 2, 2006 City Council Meeting Minutes.

MOTION: Scott Cowdell made the motion to approve the May 2, 2006 City Council Meeting Minutes as written.
SECOND: Chris McCandless
VOTE: The Council responded verbally in the affirmative to the motion.

8. MAYOR'S REPORT:
a. No report was given.

9. CAO'S REPORT:
a. No report was given.

10. COUNCIL OFFICE DIRECTOR'S REPORT:
a. Phil Glenn presented a copy of the monthly calendar, noting a clarification in the location of the meeting regarding the 13th East improvements. The meeting will be held in the Multi-Purpose Room.
b. Phil Glenn reviewed the Council Office's proposal to purchase a new copy machine and a digital sound system for the Council Conference Room and Council Chambers. The entire Council indicated that they were fine with the proposal.

11. OTHER COUNCIL BUSINESS:
a. No report was given.

At approximately 9:20 p.m., Scott Cowdell made a motion to adjourn Council Meeting, motion seconded by Steve Smith.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Linda Saville
Council Vice Chairman

Naleen Wright for Pam Lehman (ill)
Council Office Manager

